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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,623	06/27/2003	Toshio Yoshii	450100-3726.1	8467
7590	09/18/2006		EXAMINER	
FROMMER LAWRENCE & HAUG LLP 10TH FLOOR 745 FIFTH AVENUE NEW YORK, NY 10151			HO, TUAN V	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/608,623	YOSHII, TOSHIO
	<b>Examiner</b> Tuan V. Ho	<b>Art Unit</b> 2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. 08/745,851.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. ____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>6/27/08</u>	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: ____ .

*Claim Rejections - 35 USC  
§ 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

**The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.**

1. Claims 6 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6 and 8 recite the limitation "the external unit" in line 4. There is insufficient antecedent basis for this limitation in the claim.

*Claim Rejections - 35 USC  
§ 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

**A person shall be entitled to a patent unless -**

**(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.**

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2. Claims 1 and 3-9 are rejected under 35 USC 102(b) as being anticipated by Lucas cited by Applicant (U.S. Patent No. 4,989,091).

Regarding Claim 1, Lucas discloses a color imaging apparatus comprising an analog color imaging signal generating means for generating an analog color imaging signal (Column 3, Lines 40-42), a digital component signal generating means for generating a first digital component signal which indicates an image having a predetermined angle of view and which has the data rate of luminance data and first and second chroma data being  $KxN:N:N$  ("K" is an integral number more than two and "N" is a natural number) from the analog color imaging signal (Column 6, Lines 21-29), and a converting means for converting the first digital component signal into a second digital component signal which indicates an image having the same angle of view as the first digital component signal and which has the data rate of the luminance data and the first and second chroma data being  $KxN/M:N:N$  ("M" is a prime number of  $KxN$ ) on the basis of a data rate control signal (Column 7, Lines 16-26).

Regarding Claim 3, Lucas discloses that the converting means comprises a storing means for temporarily storing the first digital component signal generated by the digital component signal generating means, and generates the second

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digital component signal by reading the luminance data and the first and second chroma data from the storing means on the basis of the data rate control signal (Column 7, Lines 1-21).

Regarding Claim 4, Lucas discloses that the storing means comprises a first memory for storing data of odd lines of the first digital component signal and a second memory for storing data of the even lines of the first digital component signal (Column 6, Lines 65-66).

Regarding Claim 5, Lucas discloses that "K" is "4" and "N" is "1" (Column 6, Lines 20-29).

Regarding Claim 6, Lucas discloses an input means for inputting the data rate control signal from an external unit (Column 6, Lines 59-63).

Regarding Claim 7, Lucas discloses a data rate signal generating means for generating a data rate signal indicating the data rate of the luminance data and the first and second chroma data which constitutes the second digital component signal (Column 6, Lines 61-63).

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Regarding Claim 8, Lucas discloses outputting the data rate signal and the second digital component signal to an external unit (See Figure 2d where both the second digital component signal and the clock signal are output from Board 3 to Board 4).

As to Claim 9, see Examiner's comments regarding Claim 1.

*Claim Rejections - 35  
USC § 103*

The following is a quotation of 35 U. S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as **set forth in section 102** of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 2 and 10 are rejected under 35 USC 103 (a) as being unpatentable over Lucas in view of Saito cited by Applicant (U.S. Patent No. 5,463,419).

Regarding Claim 2, Lucas discloses that the converting means generates the second digital signal by thinning all the luminance data and the first and second chroma data in lines decided based on the data rate control signal, with the

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luminance data being thinned to a greater degree than the chrominance data (Column 6, Lines 21-29 and 61-63; luminance and chrominance sampling) but is silent regarding the specific thinning operation being performed. However, it is well known in the art to thin an image signal using an interval in each line of the image signal which is not thinned as disclosed in Figure 2 of Saito. Since this is a well known thinning operation for image signals it would have been obvious to one of ordinary skill in the art at the time of the invention to use such a thinning means in Lucas to perform the additional thinning required for the luminance signal in order to make use of an established thinning procedure.

As to Claim 10, see Examiner's comments regarding Claim 2.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (571) 272-7365. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the

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organization where this application or proceeding is assigned is  
(572) 273-8300.

Any inquiry of a general nature or relating to the status  
of this application or proceeding should be directed to the  
Customer Service whose telephone number is (571) 272-2600.



TUAN HO

Primary Examiner

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